

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

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Attorneys for Debtor,
Alan F. Westin

-----x UNITED STATES BANKRUPTCY COURT
In Re: : DISTRICT OF NEW JERSEY
: NEWARK VICINAGE
:
ALAN F. WESTIN, : Case No.: 08-24050 (RG)
: Chapter 13 Proceeding
Debtor. : Judge: Hon. Rosemary Gambardella
-----x Hearing: 1/12/2010 at 10:00 a.m.

**SUPPLEMENTAL CERTIFICATION OF ERIC R. PERKINS IN SUPPORT OF AN
ORDER GRANTING SUPPLEMENTAL CHAPTER 13 FEES**

Eric R. Perkins, Esquire, hereby certifies as follows:

I am a member of the Firm of McElroy, Deutsch, Mulvaney &
Carpenter, LLP (hereinafter "Applicants"), attorneys for Debtor,
Alan F. Westin, respectfully shows and represents as follows:

I. INTRODUCTION

1. Applicants are attorneys at law of the State of New
Jersey and are duly admitted to practice before this Court.

2. This Application is made by Applicants for an Order
Granting Supplemental Chapter 13 Fees for compensation for
professional services rendered for and on behalf of Debtor, Alan
F. Westin (hereinafter the "Debtor"). The compensation
requested is consistent with the nature and extent of the

services rendered, the complexity of the case, and the time and special expertise devoted to the matter.

II. BACKGROUND

1. On February 27, 2009, Debtor filed a Voluntary Petition for protection under Chapter 13 of the Bankruptcy Code.

2. This Application is made by the Applicants for a first allowance of compensation for professional services rendered for and on behalf of the Debtor for the period June 19, 2009 through September 10, 2009 (the "Period"). In addition, Applicants seek reimbursement for actual and necessary costs and expenses incurred during the Period.

3. Applicants seek an allowance for fees of \$3,500.00, the documentation for which is set forth on Exhibit "A" attached hereto. Applicants also seek reimbursement in the sum of \$150.32, which represents the actual and necessary costs and expenses incurred during the Period. A schedule of disbursements is included in Exhibit "A."

III. APPLICANTS' LEGAL SERVICES AS COUNSEL TO THE DEBTOR

1. This was a highly complex transaction involving obtaining a reverse mortgage, which presented novel issues of law and fact in the context of a confirmed Chapter 13 Plan.

2. A motion was filed to allow Debtor to obtain a reverse mortgage on July 13, 2009.

3. On July 15, 2009, Marie-Ann Greenberg, Chapter 13 Standing Trustee, filed an objection to Debtor's Motion to Obtain a Reverse Mortgage.

4. On September 9, 2009, an order was entered allow Debtor to Obtain a Reverse Mortgage for Real Property located at 1100 Trafalgar Street, Teaneck, New Jersey.

5. On October 23, 2009, Debtor's counsel filed an Application allowing Debtor to close on the Reverse Mortgage.

6. On November 17, 2009, an Order was entered by the Court allowing Debtor to close on the Reverse Mortgage.

7. The total amount of fees far exceeds the amount being sought herein. Your Applicant is limiting its application for fees for services rendered to \$3,500.00 plus disbursements. Given the unusual nature of this matter, it is respectfully submitted that the fees sought are fair and reasonable.

IV. DISBURSEMENTS

1. Applicants further show that included in Exhibit "A" is a statement of out-of-pocket disbursements expended by Applicants. Said disbursements do not include costs of regular mail and local telephone calls that Applicants consider to be part of normal office overhead.

V. CONCLUSION

Based upon the foregoing, Applicants respectfully request that they be awarded compensation for professional services

rendered in the Chapter 13 Proceeding in the amount of \$3,500.00, plus reimbursement of out-of-pocket expenses in the amount of \$150.32.

I certify under penalty of perjury that the foregoing is true and correct.

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
Attorneys for Debtor,
Alan F. Westin

BY: /s/Eric R. Perkins
ERIC R. PERKINS, ESQ.

Dated: December 10, 2009

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& Carpenter, LLP

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CLIENT - MATTER W0435 Alan F Westin
1001 Alan F. Westin Post Petition Chapter 13

ACTIVITY	DATE	DESCRIPTION OF SERVICES	HOURS	AMOUNT	ATTY
<u>Case Administration</u>					
	08/17/09	Meet and confer with E. Perkins regarding settlement with Chapter 13 Trustee re: application for reverse mortgage.	0.30	57.00	924 AAC
	08/17/09	Review, analyze and respond to email from E. Perkins regarding hearing on motion for reverse mortgage.	0.20	38.00	924 AAC
	08/21/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding notice of transfer of claim from American Express Travel to LVNV Funding.	0.20	38.00	924 AAC
	08/28/09	Review, analyze and respond to email from E. Perkins regarding counter-proposal to Chapter 13 Trustee.	0.20	38.00	924 AAC
	09/01/09	Draft email to E. Perkins regarding status of hearing on motion for reverse mortgage.	0.30	57.00	924 AAC
		TOTAL	1.20	228.00	
		TOTAL Case Administration	1.20	228.00	
<u>Litigation</u>					
	07/07/09	Conference with A. Cimino regarding reverse mortgage issue.	0.20	85.00	661 JB
		TOTAL	0.20	85.00	
	06/19/09	Review and analyze email from E. Perkins and attachments from Alan Westin regarding preparing an emergent 363 motion to refinance property.	0.50	95.00	924 AAC
	06/24/09	Review and analyze reversed mortgage document in preparation of 363 motion.	0.70	133.00	924 AAC
	06/29/09	Review and analyze e-mail from E. Perkins re: 363 motion.	0.20	38.00	924 AAC
	06/29/09	Review and analyze e-mail from E. Perkins to A. Westin re: status of 363 motion.	0.20	38.00	924 AAC
	06/30/09	Begin drafting 363 motion for reverse mortgage in re: Westin Chapter 13 proceeding.	3.00	570.00	924 AAC
	07/01/09	Begin drafting motion for reverse mortgage.	1.80	342.00	924 AAC
	07/01/09	Review and analyze documents in support of motion for reverse mortgage.	1.00	190.00	924 AAC
	07/06/09	Review, analyze and respond to email from E. Perkins regarding status of motion for reverse mortgage.	0.20	38.00	924 AAC
	07/07/09	Research case law for reverse mortgage in Chapter 13 bankruptcy petition in preparation of motion to reverse mortgage.	2.30	437.00	924 AAC
	07/07/09	Draft notice of motion for reverse mortgage; draft application in support of motion for reverse mortgage; draft proposed order; draft certificate of service.	6.40	1216.00	924 AAC
	07/07/09	Draft email to E. Perkins regarding factual background for motion for reverse mortgage in Westin Chapter 13.	0.30	57.00	924 AAC
	07/07/09	Review, analyze email from E. Perkins regarding no bidding procedures for reverse mortgage.	0.20	38.00	924 AAC
	07/08/09	Continue drafting notice of motion for reverse mortgage; application in support of reverse mortgage; certificate of service and proposed order.	8.30	1577.00	924 AAC
	07/08/09	Telephone conference with A. Westin regarding facts supporting motion for reverse mortgage.	0.50	95.00	924 AAC
	07/08/09	Draft email to E. Perkins regarding supporting facts for motion for reverse mortgage.	0.20	38.00	924 AAC
	07/08/09	Draft email to E. Perkins regarding additional facts to substantiate	0.30	57.00	924 AAC

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ACTIVITY DATE	DESCRIPTION OF SERVICES	HOURS	AMOUNT	ATTY
	application for reverse mortgage.			
07/08/09	Review and analyze email from E. Perkins regarding contacting Dr. Westin for additional facts.	0.20	38.00	924 AAC
07/09/09	Review and analyze case law regarding criteria for change circumstances in support of motion for reverse mortgage.	0.70	133.00	924 AAC
07/09/09	Revise application in support of motion for reverse mortgage.	4.80	912.00	924 AAC
07/09/09	Review and analyze email from A. Westin regarding curriculum vitae in support of motion for reverse mortgage.	0.30	57.00	924 AAC
07/09/09	Review and analyze bio of A. Westin in support of motion for reverse mortgage.	0.30	57.00	924 AAC
07/10/09	Finalize motion for reverse mortgage and all supporting documents for filing with U.S. Bankruptcy Court.	5.20	988.00	924 AAC
07/10/09	Draft email to E. Perkins regarding final draft of Debtor's motion for reverse mortgage.	0.20	38.00	924 AAC
07/11/09	Review, analyze and respond to email from E. Perkins regarding potential objection by Trustee to Debtor's motion for reverse mortgage.	0.20	38.00	924 AAC
07/13/09	Review and analyze schedule of Judge Gambardella's motion days in preparation of filing motion for reverse mortgage.	0.30	57.00	924 AAC
07/13/09	Finalize list of creditors for certification of service of motion for reverse mortgage.	0.40	76.00	924 AAC
07/14/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding filing of motion for reverse mortgage and certificate of service.	0.20	38.00	924 AAC
07/14/09	Review and analyze email to A. Westin with all documents relating to motion for reverse mortgage attached.	0.10	19.00	924 AAC
07/15/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding Trustee's objection to Debtor's motion for reverse mortgage.	0.20	38.00	924 AAC
07/16/09	Review and analyze Trustee's opposition to Debtor's motion for reverse mortgage.	0.30	57.00	924 AAC
07/20/09	Review and analyze objection to motion for reverse mortgage in preparation of status email to E. Perkins.	0.20	38.00	924 AAC
07/20/09	Draft status email to E. Perkins regarding Trustee's objection to motion for reverse mortgage.	0.20	38.00	924 AAC
07/20/09	Telephone call from A. Westin regarding status of Trustee's objection to motion for reverse mortgage.	0.10	19.00	924 AAC
07/21/09	Conference call with E. Perkins regarding Debtor's Response to Trustee's objection to Debtor's motion for reverse mortgage.	0.40	76.00	924 AAC
07/21/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court rescheduling hearing date on motion for reverse mortgage to August 17.	0.20	38.00	924 AAC
07/22/09	Review, analyze and respond to email from E. Perkins regarding possible resolution re: motion for reverse mortgage.	0.10	19.00	924 AAC
07/28/09	Review, analyze and respond to email from E. Perkins regarding status of Agreement with Chapter 13 Trustee for reverse mortgage.	0.20	38.00	924 AAC
07/31/09	Review, analyze and respond to e-mail from R. Pellicchia regarding letter to Judge Gambardella requesting adjournment of hearing on debtor's motion to obtain a reverse mortgage.	0.20	38.00	924 AAC
07/31/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding order granting debtor's request to adjourn hearing on debtor's motion for a reverse mortgage.	0.20	38.00	924 AAC
08/03/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding adjournment of hearing date on	0.20	38.00	924 AAC

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ACTIVITY DATE	DESCRIPTION OF SERVICES	HOURS	AMOUNT	ATTY
	debtor's motion for reverse mortgage.			
08/31/09	Meet and confer with E. Perkins in preparation of hearing on motion for reverse mortgage.	0.30	57.00	924 AAC
08/31/09	Draft consent order regarding motion for reverse mortgage.	0.70	133.00	924 AAC
08/31/09	Review and analyze documents in preparation of oral argument for reverse mortgage.	1.00	190.00	924 AAC
08/31/09	Review and analyze several emails from E. Perkins regarding revisions to consent order and additional information in support of application for reverse mortgage.	0.50	95.00	924 AAC
09/01/09	Appear and argue motion for reverse mortgage.	1.00	190.00	924 AAC
09/01/09	Review and analyze notice of electronic filing from U.S. Bankruptcy Court regarding hearing on motion for reverse mortgage.	0.20	38.00	924 AAC
09/02/09	Modify Consent Order pursuant to Court's order regarding application for reverse mortgage.	0.60	114.00	924 AAC
09/02/09	Draft email to E. Perkins re: form of proposed order for reverse mortgage.	0.20	38.00	924 AAC
09/02/09	Draft email to Mary Marie-Ann Greenberg re: proposed order for reversed mortgage.	0.30	57.00	924 AAC
09/02/09	Draft email with proposed Consent Order for reverse mortgage attached to Chambers of Judge Gambardella.	0.20	38.00	924 AAC
09/02/09	Review, analyze and respond to email from E. Perkins regarding form of proposed order for reverse mortgage.	0.30	57.00	924 AAC
09/02/09	Review and analyze revisions to proposed order for reversed mortgage from Marie Ann-Greenberg regarding unsecured creditors.	0.30	57.00	924 AAC
09/04/09	Telephone call to Chambers of Judge Gambardella regarding procedure for submission of Consent Order regarding application for reverse mortgage.	0.30	57.00	924 AAC
09/10/09	Review and analyze Order from U.S. Bankruptcy Court granting Debtor's motion to obtain reverse mortgage.	0.30	57.00	924 AAC
TOTAL		47.70	9,063.00	
TOTAL Litigation		47.90	9,148.00	
<u>Other (Explain)</u>				
07/21/09	Phone call with client concerning Trustee's objection and preparation of reply to objection.	0.50	212.50	1333 ERP
07/31/09	Phone call with Chapter 13 Trustee, Marie Anne Greenberg regarding settlement on reverse mortgage motion	0.20	85.00	1333 ERP
07/31/09	Phone call with client regarding conversation with chapter 13 Trustee and request for updated explanation of what funds will be used for.	0.20	85.00	1333 ERP
07/31/09	Request and obtain adjournment from Court and confirm same in writing.	0.20	85.00	1333 ERP
08/06/09	Review reverse mortgage analysis and client's explanation of his needs; e-mail client requesting budget and projections for the upcoming year.	1.00	425.00	1333 ERP
08/17/09	Review revised budget and outline of what/how money is being spent from reverse mortgage.	0.20	85.00	1333 ERP
08/17/09	Phone call with client regarding revised budget and presentation to Chapter 13 Trustee.	0.10	42.50	1333 ERP
08/21/09	Correspondence to Chapter 13 Trustee concerning reverse mortgage disposition of assets.	0.30	127.50	1333 ERP
08/24/09	Review/revise letter to chapter 13 trustee regarding reverse	0.20	85.00	1333 ERP

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ACTIVITY DATE	DESCRIPTION OF SERVICES	HOURS	AMOUNT	ATTY
	mortgage and payments due thereunder - transmit to client for input.			
08/28/09	Exchange e-mails with client and trustee to resolve outstanding motion seeking to approve reverse motion.	0.20	85.00	1333 ERP
08/31/09	Finalize agreement on reverse mortgage with Chapter 13 trustee; prepare for oral argument.	1.00	425.00	1333 ERP
	TOTAL	4.10	1,742.50	
07/08/09	Located all cases where a Chapter 13 debtor, post-confirmation, was permitted to enter a reverse mortgage.	2.00	250.00	1350 ANH
	TOTAL	2.00	250.00	
	TOTAL Other (Explain)	6.10	1,992.50	
<u>Travel Time</u>				
09/01/09	Travel to and from U.S. Bankruptcy Court, District Court of New Jersey for hearing on motion for reverse mortgage.	0.80	152.00	924 AAC
	TOTAL	0.80	152.00	
	TOTAL Travel Time	0.80	152.00	
	TOTAL HOURS:	56.00		

ACTIVITY DATE	DESCRIPTION OF DISBURSEMENT	AMOUNT	
09/01/09	Alyssa A Cimino; 9/1/2009 attend hearing on motion to reverse mortgage	11.00	
	TOTAL Auto Expense		11.00
07/13/09	Copy; A3, 2 Page(s)	0.40	
08/03/09	Copy; Lg, 16 Page(s)	3.20	
	TOTAL Photocopies		3.60
07/13/09	Postage	8.28	
	TOTAL Postage		8.28
07/14/09	Telephone charge 973-928-1100	0.30	
	TOTAL Telephone Calls		0.30
07/07/09	WESTLAW: User: CIMINO,ALYSSA A, ID= 924; Date: 07-07-2009	30.56	
07/09/09	WESTLAW: User: CIMINO,ALYSSA A, ID= 924; Date: 07-09-2009	96.58	
	TOTAL Westlaw		127.14
	TOTAL DISBURSEMENTS VALUE		150.32

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<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Value</u>
ERP	4.10	425.00	1,742.50
JB	0.20	425.00	85.00
AAC	49.70	190.00	9,443.00
ANH	2.00	125.00	250.00

<u>Task</u>	<u>Hours</u>	<u>Amount</u>
D24 - Case Administration	1.20	228.00
D30 - Litigation	47.90	9148.00
D43 - Other (Explain)	6.10	1992.50
D50 - Travel Time	0.80	152.00

<u>Disbursement Code</u>	<u>Amount</u>
03 - Auto Expense	11.00
07 - Photocopies	3.60
08 - Postage	8.28
12 - Telephone Calls	0.30
WEST - Westlaw	127.14

TOTAL FEES	11,520.50
TOTAL DISB	150.32
TOTAL BALANCE DUE	11,670.82